



PETITION NUMBER: 0807-ZOA-13
REQUEST: To add Special Districts to the Westfield-Washington Township Zoning Ordinance, WC 16.11.38 *et al*
EXHIBITS:
1. Staff Report
2. Ordinance
3. Special Districts Use Table

STAFF REVIEWER: Al Salzman

PETITION HISTORY: None.

PETITION HISTORY

- The July 21, 2008 meeting represents the first public hearing of this petition before the Advisory Plan Commission.
- This petition appeared before the Advisory Plan Commission at the July 7, 2008 Workshop Meeting.

PROCEDURAL

- Legal notice has been provided for the required public hearing for the July 21, 2008 Advisory Plan Commission meeting in accordance with all applicable statutes.
- Notice of the July 21, 2008 Workshop Meeting was posted to the City web site and at City Hall.
- Proposed amendments to the Zoning Ordinance are required to have a public hearing.
- The Advisory Plan Commission issues a recommendation to the Town Council in regard to proposed amendments to the zoning ordinance.

REVIEW OF CHANGES

The Special Districts ordinance represents the introduction of new districts to the Zoning Ordinance, intended to provide specifically for preservation areas, park and recreation areas, religious and educational institutions, and government facilities.

The Special Districts are constructed to address provisions of the existing standards that have resulted in recurring requests for variances from the Board of Zoning appeals.

The Special Districts ordinance is intended to work in concert with proposed revisions to the existing Development Plan Review language. The intention of these revisions is to reduce unnecessary appearances before the Advisory Plan Commission and provide for increased Administrative review of uses within Special Districts, encourage flexibility and innovation in design, and provide incentive for reducing environmental impacts through site design.



REVIEW OF COMMENTS RECEIVED

Several comments regarding the proposed Special Districts ordinance were provided to staff by members of the Advisory Plan Commission members after the July 7, 2008 Workshop Meeting.

Several of the comments received pertained to the Special Districts Use Table that accompanies the text of the Special Districts ordinance. The table has been updated to clarify missing footnotes. Other comments received were related to the inclusion of bicycle parking standards. The Special Districts ordinance was not modified to address these comments, as the issue of bicycle parking will be addressed in future revisions to the Parking Standards section of the Zoning Ordinance.

An additional comment questioned the proposed practice of allowing expanded administrative-level approval of additions and expansions to previously-approved institutional sites. In reviewing the history of institutional uses approved since the inception of the current Development Plan Review process in 2001, staff determined that all thirty-one institutional sites subjected to the DPR process were approved as presented. Further, conditions associated with these thirty-one approvals were overwhelmingly generated by Technical Advisory Committee agencies as a result of discussions prior to Advisory Plan Commission, and not as a result of input from the public or Advisory Plan Commission members at the Public Hearing. This information would indicate that the required Public Hearing and associated Advisory Plan Commission hearing for institutional uses was effectively a formality, and was not resulting in substantive changes to the proposed sites. In an effort to reduce unnecessary APC petition volume, staff continues to recommend additions and expansions be approved administratively.

Modifications to the proposed Special Districts ordinance since the July 7, 2008 Workshop Meeting are shown in ~~colored strikethrough or underline~~ in the accompanying copy of the proposed ordinance.

RECOMMENDATIONS

Send the proposed Special Districts ordinance to the Westfield City Council for the August 11, 2008 meeting with a **positive recommendation**.

AFS